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IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

ROBERT R. BAUMANN, M.D.,
RESPONDENT.

FINAL DECISION AND ORDER
LS9905195MED

99 MED 005

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Robert R. Baumann
721 30th Avenue
Monroe, WI 53566

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Robert R. Baumann (dob 4/20/28) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license # 13890, first granted on February 7, 1961. Respondent is a dermatologist.
2. During 1998 Respondent purchased the following controlled substances from Hadro Drugs, Inc., which were delivered to Respondent's home address:
4500 hydrocodone 5 mg tablets,
7000 meprobamate 400 mg tablets,
1500 diazepam tablets.
3. Respondent kept no inventory or dispensing records for the controlled substances.
4. Respondent dispensed the hydrocodone to his spouse for alleviation of pain associated with osteoporosis. Respondent kept no patient record for his spouse, and the spouse's personal physician was not aware of her use of the drug.

5. Respondent personally used the meprobamate and diazepam for anxiety.
6. During 1998, Respondent also issued prescription orders for hydrocodone and diazepam to local pharmacies in the name of his spouse.
7. On January 10, 1999, Respondent surrendered his DEA registration.
8. Respondent has stated his intent to retire from the practice of medicine by July 1, 1999.

CONCLUSIONS OF LAW

9. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to §448.02(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
10. The conduct described in paragraph 2 through 6 above, violated sec. 961.38(5) Wis. Stats. and sec. Med 10.02(2)(h) and (p), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The attached Stipulation is accepted.
2. The VOLUNTARY SURRENDER by Robert R. Baumann of his registration to practice medicine and surgery in the state of Wisconsin is accepted, effective July 1, 1999.
3. Respondent will not register or attempt to register to practice medicine and surgery in the state of Wisconsin after June 30, 1999. Respondent will not practice or attempt to practice medicine and surgery in the state of Wisconsin when not currently registered.
4. Between the date of this Order and the effective date of surrender of his registration, Respondent shall not order, prescribe, obtain, administer, dispense or possess any controlled substance, except as may be prescribed by Respondent's health care provider for a legitimate medical condition.
5. Respondent shall pay the costs of investigating and prosecuting this matter in the amount of \$ 400.00 within 30 days of this order.
6. Pursuant to §448.02(4), Wis. Stats., if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license and registration of respondent be summarily suspended pending investigation of the alleged violation.

The rights of a party aggrieved by this Final Decision and Order to petition for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information."

Dated this 19th day of May, 1999.

WISCONSIN MEDICAL EXAMINING BOARD, by:

by: Ronald Grossman, M.D.

Board Secretary

